

United States District Court

DEC 17 2016

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Jorge Leeroy Larralde

YOB: 1973

Principal

United States

Case Number:

M-16-2329-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 16, 2016 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Santiago Tuyub-Nunez, citizen and national of Mexico and Jose Edson Dalton Osorio-Rivera, citizen and national of El Salvador, along with one (1) other undocumented alien, for a total of three (3), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas, to the point of arrest near Roma, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On December 16, 2016, Border Patrol Agents working near Roma, Texas observed a dark in color pickup truck driving at a high rate of speed from a location known for alien smuggling. The Agent began to follow the pickup truck and relayed the vehicle's direction of travel to the camera operator.

The camera operator acquired visual of the pickup truck and notified the agents that the vehicle had come to stop at the intersection of Athens Street and Catfish. At this time three suspected illegal aliens were observed by the camera operator getting out of the vehicle and running into the brush.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Julio C. Peña
Signature of Complainant

Julio C. Peña Senior Patrol Agent
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

December 17, 2016
Date

4:03 pm at

McAllen, Texas
City and State

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

Peter E. Ormsby
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-2329 -M

RE: Jorge Leeroy Larralde

CONTINUATION:

The pickup truck was then observed by the camera operator driving off on Catfish Street until it stopped and parked along the side of the road. A subject later identified as Jorge Leeroy LARRALDE, a United States Citizen, exited the vehicle and began walking down the street. The camera operator then guided the agents to LARRALDE's location. LARRALDE was detained and questioned as to his involvement in alien smuggling. LARRALDE refused to answer any questions.

Shortly thereafter, the camera operator guided agents to the southeast corner of Athens and Catfish where three individuals were dropped off. Three subjects were located in the brush and after a brief interview of the individuals, all three admitted to being illegally present in the United States.

At this time, LARRALDE was placed under arrest and transported to the Rio Grande City Border Patrol Station for further processing.

Santiago Tuyub-Nunez, Jose Edson Dalton Osorio-Rivera and the third undocumented alien were transported to the Rio Grande City Border Patrol Station for further processing.

PRINCIPAL STATEMENT:

Jorge Leeroy LARRALDE, was read his Miranda Rights. He understood and refused to provide a sworn statement without the presence of an attorney.

WITNESSES STATEMENT:

Santiago TUYUB-Nunez and Jose Edson Dalton Osorio-Rivera were read their Miranda Rights. Both understood their rights and agreed to provide a sworn statement without the presence of an attorney.

Santiago TUYUB-Nunez, a citizen of Mexico, stated he made the smuggling arrangements and paid \$1,800 upfront. He was smuggled into the United States on December 16, 2016 along with other people, walked through the brush for approximately 30 minutes. TUYUB stated that they followed the brush guide until coming to a road. He stated that the brush guide told them that a truck was going to pick them up. When the truck arrived, the brush guide instructed them to get inside the vehicle. TUYUB stated that everyone jumped inside the truck but the brush guide stayed behind. He stated that once inside the truck, they drove for a few minutes until the driver stopped and instructed them to get off and hide in the brush. TUYUB identified Jorge Leeroy LARRALDE through a photo lineup as the driver of the truck.

Jose Edson Dalton OSORIO-Rivera, a citizen of El Salvador, stated he made the smuggling arrangements and paid \$3,000 USD upfront. He stated he was smuggled into the United States on December 16, 2016 along with other people. OSORIO stated that a brush guide took them through the brush and told them that a truck was going to pick them up. He stated that when the truck arrived they got inside the vehicle and that the brush guide stayed behind in the brush. OSORIO states that they drove until the driver stopped, pointed at the brush and instructed them to get out of the truck and hide. OSORIO identified Jorge Leeroy LARRALDE through a photo lineup as the driver of the truck.